

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

VALENTINO DIXON,

Plaintiff,

v.

Case No. 19-cv-01678

CITY OF BUFFALO, et al.,

Defendants.

COUNTY DEFENDANTS' RESPONSE TO
PLAINTIFF'S SUPPLEMENTAL AUTHORITY

In Plaintiff's Notice of Supplemental Authority [195]¹, the Plaintiff contends that the Defendants' opposition to Plaintiff's malicious prosecution claim is affected by *Chiaverini v. Cty. of Napoleon*, 602 U.S., 144 S. Ct. 1745 (2024) (slip op.). The County Defendants advance the following arguments in response.

First, the County Defendants note that there are no malicious prosecution claims pleaded against the County Defendants, and *Chiaverini* can therefore have no bearing on the merit of the County Defendants' motion for summary judgment. (*See* Complaint [1].)

Second, the County Defendants join in the City Defendants' argument [200] that the Plaintiff's claims are barred for want of favorable termination, and that this argument is unaffected by *Chiaverini*.

¹ Bracketed references are to CM/ECF document numbers.

Dated: July 19, 2024
Buffalo, New York

Respectfully submitted,

LIPPES MATHIAS LLP

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